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Attorneys for Defendants  
 KAISER FOUNDATION HEALTH PLAN, INC.  
 and THE PERMANENTE MEDICAL GROUP

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

BRENDA HILL, MEDHANIE BERNE, PATSY  
 HARDY, MICHELLE MIKE, EVELYN  
 JENNINGS and RENA HARRISON,

Plaintiffs,

vs.

KAISER FOUNDATION HEALTH PLAN,  
 INC., d/b/a KAISER PERMANENTE; THE  
 PERMANENTE MEDICAL GROUP d/b/a  
 KAISER PERMANENTE,

Defendants.

Case No. CV 10-2833-RS

**STIPULATION TO POSTPONE INITIAL  
 CASE MANAGEMENT CONFERENCE  
 AND ~~[PROPOSED]~~ ORDER**

[N.D. Local Rules 7-12, 16-2(e)]

Complaint Filed: June 28, 2010  
 Trial Date: None Set

Plaintiffs BRENDA HILL, MEDHANIE BERNE, PATSY HARDY, MICHELLE MIKE,  
 EVELYN JENNINGS, and RENA HARRISON and defendants KAISER FOUNDATION HEALTH  
 PLAN, INC. and THE PERMANENTE MEDICAL GROUP (jointly, "Defendants"), by and through  
 their attorneys herein, stipulate as follows pursuant to Northern District Local Rules 7-12 and 16-  
 2(e):

2. On November 24, 2010, Defendants filed a Motion to Dismiss, Strike or for a More Definitive Statement as their response to the Complaint. The Motion is scheduled to be heard on December 30, 2010.

3. Because the Court's ruling on this Motion is likely to have a material affect on the number and types of claims at issue in this action, including whether the case will proceed as an individual or class action, and thus the outcome of the Motion also will affect the scope and timing of discovery, motion practice and other case management issues, the parties respectfully request that the Court continue the Case Management Conference to February 10, 2011 at 10:00 a.m., or a later date available on the Court's docket.

4. A postponement of the Case Management Conference to February 10, 2011 also is necessary because Plaintiff's counsel currently is set for trial in the Northern District of Illinois, *Scherr v. Marriott International, et al.*, Case No. 08-2098, starting December 13, 2010. Counsel anticipates that trial will last approximately two to three weeks. Then, beginning on January 12, 2011, Plaintiffs' counsel has another trial in the Northern District of California, before Hon. James Ware, *Batts v. County of Santa Clara*, Case No. 08-286. Counsel anticipates that trial is likely to last three weeks because Judge Ware holds trials only from 1:00 to 4:00 each day.

19 IT IS SO STIPULATED.

20 Dated: November 24, 2010 JEREMY L. FRIEDMAN

22 By: /s/ JEREMY L. FRIEDMAN  
 23 Attorney for Plaintiffs  
 24 BRENDA HILL, MEDHANIE BERNE, PATSY HARDY,  
 MICHELLE MIKE, EVELYN JENNINGS and RENA  
 HARRISON

25 Dated: November 24, 2010 NIXON PEABODY LLP

By: /s/ DEBORAH R. SCHWARTZ  
Attorneys for Defendants  
KAISER FOUNDATION HEALTH PLAN, INC.  
and THE PERMANENTE MEDICAL GROUP

**PROPOSED ORDER**

Pursuant to the parties' Stipulation, the Case Management Conference date of December 30, 2010 is VACATED. The Case Management Conference shall be continued to February 10, 2011, at 10:00 a.m.

IT IS SO ORDERED.

Dated: 11/29/10



HON. RICHARD SEEBORG  
United States District Judge